

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

SAINT MARTIN'S UNIVERSITY  
Employer

and

Case 19-RC-173933

SERVICE EMPLOYEES INTERNATIONAL  
UNION, LOCAL 925  
Petitioner

ORDER

The Employer's request to stay the Regional Director's issuance of the Certification of Representative is denied.

MARK GASTON PEARCE, CHAIRMAN

KENT Y. HIROZAWA, MEMBER

Member Miscimarra, dissenting:

Without prejudging the merits of the forthcoming request for review, given the unusual circumstances—i.e., where a certification of the Union would impose on the Employer a duty to bargain on request, even though the Board may lack jurisdiction and the certification may run afoul of the First Amendment—I would grant the motion for a stay until the earlier of (i) the Board's disposition of the forthcoming request for review, or (ii) the expiration of the time for filing a request for review if no such request is timely filed.

PHILIP A. MISCIMARRA, MEMBER

Dated, Washington, D.C., June 27, 2016.